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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : HEINER MAX ET AL.

SERIAL NO. : 09/909,311

**BEST AVAILABLE COPY**

FILED : July 19, 2001

FOR : COSMETIC AND DERMATOLOGICAL PREPARATION WITH  
A CONTENT OF CYCLODEXTRINS FOR THE REMOVAL OF SEBUM

ART UNIT : 1615

EXAMINER : To be assigned

October 26, 2001

105

**Box MISSING PARTS**

Hon. Commissioner of Patents  
Washington, D.C. 20231

**COMMUNICATION RE: FILING OF DECLARATION ON  
A DATE LATER THAN THE FILING DATE OF THE APPLICATION**

Sir:

This is in response to the Notice To File Missing Parts of Nonprovisional Application dated September 7, 2001, in the above-identified application. A copy of said Notice is attached hereto.

Submitted herewith is the Declaration executed by the inventors. It is requested that this paper be joined up with the papers previously filed in this Application.

Applicant is:

a small entity

verified statement attached

other than a small entity

verified statement filed

It is requested that the surcharge for the filing of the Declaration be charged to the undersigned's Deposit Account No. 14-1263.

Please charge:

[ ] \$ 65.00 for small entity

[x] \$130.00 for other than small entity **BEST AVAILABLE COPY**

An extra copy of this communication is appended hereto for accounting purposes.

**CONDITIONAL PETITION FOR EXTENSION OF TIME**

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.

**ADDITIONAL FEE**

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted,  
NORRIS McLAUGHLIN & MARCUS, P.A.

By \_\_\_\_\_  
Kurt G. Briscoe  
Reg. No. 33,141

220 East 42<sup>nd</sup> Street  
30<sup>th</sup> Floor  
New York, New York 10017  
(212) 808-0700



CERTIFICATE OF MAILING

I hereby certify that this Communication and Combined Declaration & Power of Attorney are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box MISSING PARTS, Commissioner of Patents, Washington, D.C. 20231, on the date indicated below.

Date: October 26, 2001

By \_\_\_\_\_

Kurt G. Briscoe

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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/909,311	07/19/2001	Heiner Max	Beiersdorf 733-KGB

27384  
**KURT BRISCOE**  
 NORRIS, MC LAUGHLIN & MARCUS, P.A.  
 220 EAST 42ND STREET, 30TH FLOOR  
 NEW YORK, NY 10017

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**CONFIRMATION NO. 9953**

**FORMALITIES LETTER**



\*OC00000006531719\*

Date Mailed: 09/07/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

*Charothy Young*  
 Customer Service Center  
 Initial Patent Examination Division (703) 308-1202  
 PART 2 - COPY TO BE RETURNED WITH RESPONSE

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